

Central Valley Regional Water Quality Control Board

6 November 2015

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AMENDED NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0073-01 (GENERAL ORDER); SACRAMENTO ENTERTAINMENT AND SPORTS CENTER, SACRAMENTO COUNTY

Our office received a Report of Waste Discharge application on 9 December 2014 from Turner Construction Company for the Sacramento Entertainment and Sports Center Project (Project), for discharge of treated groundwater to surface water. Based on the application, staff determined that the project met the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). On 16 December 2014 a NOA was issued to Turner Construction and the project was assigned Limited Threat General Order R5-2013-0073-01-040 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002.

A request for change of ownership of the Project was submitted by Swinerton Builders on 21 October 2015 to continue operation of the Project. Swinerton Builders provided a signed statement in accordance with the signatory and certification requirements in the Limited Threat General Order (Attachment D, Section V.B) acknowledging the existence of this NOA and assumes full responsibility for compliance. This NOA is hereby amended to change the Project owner to Swinerton Builders (hereinafter Discharger). Please reference your Limited Threat General Order number, **R5-2013-0073-01-040**, and **CIWQS ID # 811435** in your correspondence and submitted documents.

The Limited Threat General Order is enclosed, and may also be viewed at the following web address:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring and reporting requirements. The project activities shall be operated in accordance with the requirements contained in this NOA and the Limited Threat General Order.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of*

California, 2005, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents are found in Attachment B of the Limited Threat General Order. Review of your effluent water quality data in comparison to the screening values, showed reasonable potential for the discharge to cause or contribute to an exceedance of iron, manganese, and vinyl chloride water quality objectives in the Sacramento River. However, your proposed treatment system addresses the water quality concern by reducing constituent concentrations below water quality objectives; therefore, the Project qualifies for the Limited Threat General Order.

PROJECT DESCRIPTION

The Sacramento Entertainment and Sports Center is currently being constructed at 609 L Street in downtown Sacramento. The Project is bordered to the north by J Street, to the south by L Street, and to the west by 5th Street. Soil in the site's footprint will be excavated to support construction. In order for the building foundation to be constructed, the local groundwater will need to be drawn down below the lowest point of the excavation for the foundation pile caps. To minimize the dewatering requirement, discrete areas requiring an excavation lower than the pile caps will be dewatered using localized sumps. The high groundwater table and the proximity to the Sacramento River provides for a challenging dewatering scenario. Sensitivity in dewatering the site is required due to the presence of a contaminant plume below the site, and the need to minimize any ground subsidence in the area surrounding the project.

A dewatering system has been installed at the site, composed of a set of vacuum well points along the perimeter of land within the property; enhanced with traditional gravity wells along 5th Street and along the western half of L and J Streets. Prior to issuance of the NOA, dewatering effluent was discharged to the City of Sacramento's combined sewer system, and was regulated under permits issued by Sacramento Regional County Sanitation District and the City of Sacramento. The capacity of the existing combined sewer system is not expected to support the likely increase of discharge during the wet season due to engineering constraints of the combined sewer system. Therefore, the Discharger has obtained permission from the City of Sacramento to discharge approximately 4.0 MGD of treated groundwater to the City's storm water system via Sump 52, which in turn discharges to the Sacramento River, a water of the United States. During the dry season, the discharge will continue to flow into the City of Sacramento's combined sewer system.

Prior to the treatment system, excavation water is directed to a settling tank and combined with water from gravity wells which is then stored in three (3) 20,000 gallon onsite storage tanks. The treatment system consists of pH adjustment using sodium hydroxide (elevating to a range of 8.5-9.0 SU), aeration screens for tank inlets during operation, up to six (6) BF-1000 Bag Filter units plumbed in parallel to allow for independent operation and maintenance, four (4) media vessels plumbed two (2) in parallel lead (loaded with organo-clay media, HS-200) followed by two (2) in series lag (loaded with an organo-clay carbon blend, HS-250-AC), then through up to fifteen (15) parallel polishing vessels filled with Purolite® weak acid cation exchange resin (C104), and then post pH adjustment using carbon dioxide as needed. The system also includes an auto notification alarm system and influent high water shutoff valve for system automation and safety.

This NOA authorizes the discharge of treated dewatered groundwater only, as described above. Construction site water shall not be discharged under this NOA.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS of the Limited Threat General Order. The following effluent limitations are applicable to this discharge and are contained in Section V. A through C of the Limited Threat General Order:

A. Effluent Limitations – Applicable to All Limited Threat Discharges

1. Priority Pollutants and Constituents of Concern

Parameter	Units	Effluent Limitations		
		Annual Average	Average Monthly	Maximum Daily
Iron, Total Recoverable	µg/L	300	--	--
Manganese, Total Recoverable	µg/L	50	--	--
Vinyl Chloride	µg/L	--	0.5	1.0

2. Acute Whole Effluent Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste for all limited threat discharges shall be no less than:

- a. 70%, minimum for any one bioassay; and
- b. 90%, median for any three consecutive bioassays.

B. Effluent Limitations – Limited Threat Discharge to Specific Waterbodies

4. The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

The Sacramento River is listed under the Clean Water Act 303(d) List of impaired water bodies for chlordane, DDT (Dichlorodiphenyltrichloroethane), dieldrin, mercury, and PCB's (Polychlorinated biphenyls). Initial sampling data submitted by the Discharger indicated that the discharge from the Facility will not contribute to the impairment of the Sacramento River for these constituents. Therefore, no additional effluent limitations or monitoring are included in this Order based on the 303(d) list status of the Sacramento River.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment E of the Limited Threat General Order. The Discharger is required to comply with the following monitoring and reporting requirements as specified in Attachment E of the Limited Threat General Order.

Monitoring Locations – When discharging to the City of Sacramento Separate Storm Water System, the Discharger shall monitor the effluent at the specified location as follows:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to the City of Sacramento Storm Water System via sump 52.

Effluent Monitoring – When discharging to the City of Sacramento Separate Storm Water System, the Discharger shall monitor the limited threat discharge as follows:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Monitoring Frequency	Required Analytical Test Method
Total Flow	gpd	Estimate	1/Day ¹	--
Electrical Conductivity @ 25 C ^o	µmhos/cm	Grab	1/Month ¹	2
pH	standard units	Grab	1/Day ¹	2
Turbidity	NTU	Grab	1/Day ¹	2
Temperature	°F	Grab	1/Month ¹	2
Dissolved Oxygen	mg/L	Grab	1/Month ¹	
Iron, Total Recoverable	µg/L	Grab	1/Month ¹	2
Manganese, Total Recoverable	µg/L	Grab	1/Month ¹	2
Vinyl Chloride	µg/L	Grab	1/Month ¹	2,3
Acute Toxicity	% survival	Grab	1/Project Term ¹	4

¹ When discharging to the City of Sacramento Separate Storm Water System.

² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

³ For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP.

⁴ The acute toxicity testing samples shall be collected within 3 months of the initial discharge and analyzed using EPA-821-R-02-012, Fifth Edition. The test species shall be fathead minnows (*Pimephales promelas*).

Receiving Water Monitoring – Not required.

Monitoring Report Submittals –. Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the Fourth Quarter 2014 report, which is due by 1 February 2015. Monitoring reports shall be submitted whether or not the discharge was to the Combined Sewer System or the Separate Storm Water System. The monitoring reports shall clearly document where the effluent was discharged each quarter.

If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding monitoring report. Table E-4, below, summarizes the monitoring report due dates required under the Limited Threat General Order. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Quarterly Report Due Date
1/Day, 1/Month	14 December 2014	1 May (1 Jan – 31 Mar) 1 Aug (1 Apr – 30 Jun) 1 Nov (1 Jul – 30 Sep) 1 Feb, of following year (1 Oct – 31 Dec)

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge, 2) noncompliance, and 3) when the discharge ceases. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary. If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. In addition, late monitoring reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions. Turner Construction Company remains responsible for any violations which occurred prior to issuance of this amended NOA.

COMMUNICATION

All documents, including monitoring reports, response to inspections, written notifications and documents submitted to comply with this NOA and the Low Threat General Order, should be submitted to the NPDES Compliance Unit, attention Alejandra Serratos. Ms. Serratos can be reached at (916) 464-4634 or Alejandra.Serratos@waterboards.ca.gov.

All documents, including monitoring reports, response to inspections, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance unit. We are transitioning to a paperless office, therefore, please convert all documents to a searchable Portable Document Format (pdf) and email them to centralvalleysacramento@waterboards.ca.gov. Please also include the Discharger name, facility name, county, and CIWQS Place ID# 811435 in the body of the email. Documents that are 50 megabytes or larger should be transferred to a DVD, or flash drive and mailed to our

office, attention "ECM Mailroom-NPDES". Please include the attached Monitoring Report Transmittal Form as the first page of each monitoring report.

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to Tyson Pelkofer of the Central Valley Water Board's NPDES Permitting Unit. Mr. Pelkofer can be reached at (916) 464-4853 or Tyson.Pelkofer@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day.

Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Signed by Andrew Altevogt for

Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2013-0073-01-040 (Discharger only)
Monitoring Report Transmittal Form (Discharger only)

cc: David Smith, U.S. Environmental Protection Agency, Region IX, San Francisco (via email)
Phil Isorena, Division of Water Quality, State Water Board, Sacramento (via email)